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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/685,850	10/15/2003	Henri-Charles Deborde	790_019	8438
25191	7590	12/28/2005	EXAMINER	
BURR & BROWN			VANAMAN, FRANK BENNETT	
PO BOX 7068			ART UNIT	
SYRACUSE, NY 13261-7068			PAPER NUMBER	

3618

DATE MAILED: 12/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/685,850

Applicant(s)

DEBORDE ET AL.

Examiner

Frank Vanaman

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 October 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 4-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 4-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Status of Application

1. Applicant's amendment, filed Oct 31, 2005, has been entered in the application. Claims 1 and 4-6 are pending, with claims 2 and 3 having been canceled.

Claim Rejections - 35 USC § 112

2. Claims 1 and 4-6 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In claim 1, line 10, it is not entirely clear what is meant by "the beginning of the end"; in claim 4, line 2, it is not entirely clear what is meant by "at a level" in the context of the particular recitation of the claim; in claim 4, lines 2-3, it is not entirely clear what is meant by a 'lateral end region'.

Claim Rejections - 35 USC § 102

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
4. Claims 1, 5 and 6 are rejected under 35 U.S.C. 102(b) as being anticipated, as best understood, by Porte (FR 2,804,335, cited by applicant). Porte teaches a gliding board (1) having front and rear tip ends (3, 2); a gliding surface (7), plural symmetrical peripheral zones (8/22), and a central zone (9/13/14), the peripheral zone extending from the board edge to a discontinuity (see fig. 2, for example) having an inflection point, the peripheral zone having a thickness less than that of the central zone; the width of the peripheral zone increasing from an initial location (e.g., just beyond regions 10 or 12) towards a distal board location; the upper face of the peripheral zone being substantially parallel to the gliding surface (note figure 2); the zone having a downward incline, from a first end toward the opposite (distal) board end; the board further including guide edges (5); wherein the peripheral zone width is of a greater dimension than the guide edge width (note figure 2), the upper face of the peripheral zone being substantially parallel with the gliding surface (figure 3).

Claim Rejections - 35 USC § 103

5. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

6. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable, as best understood, over Porte in view of Stoveken (US 3,782,745). The reference to Porte is discussed above and fails to teach the guide edges as having an interruption, and the width of the peripheral zone as being more than 5mm in size at the interruption. Stoveken teaches a gliding board (2) having guide edges (28, 30) which are interrupted (i.e., not continuous) at their ends. It would have been obvious to one of ordinary skill in the art at the time of the invention to make the guide edges taught by Porte in an interrupted fashion as taught by Stoveken, for the purpose of providing guide edges only in the regions where they are needed for guiding of the board, and discontinuing them at forward and rearward ends of the board. As regards the width of the peripheral zone, while the references to Porte and Stoveken do not explicitly teach dimensions of the space, it would have been obvious to one of ordinary skill in the art at the time of the invention to provide the width of the peripheral zone at the region of the end (i.e., interruption) of the guide edges at an amount greater than 5 mm in order to increase the flexibility of the board edges (compared to the board at the central zone).

Response to Comments

7. Applicant's comments, filed with the amendment, have been carefully considered. As regards applicant's comment that the reference to Porte lacks the features added to claim 1, the examiner does not agree, and indeed a brief perusal of figure 3 of Porte's drawings should make it clear that the gliding surface and upper face of the peripheral zone are substantially parallel throughout the entire length of the board. Applicant's comments concerning figure 2 of Porte also appear to be incorrect: In this sectional view, Porte shows a gliding surface (16), a peripheral zone upper surface (22) and a central zone upper surface (23) having thickness substantially greater than that of the peripheral zone, wherein both the peripheral zone and the central zone are substantially parallel to the gliding surface. It is not clear how the addition of such a limitation which is so clearly taught by the prior art is deemed to advance the prosecution in a meaningful manner. Applicant has not argued any particular deficiency of the rejection set forth under 35 USC 103, other than a reiteration of the assertion that Porte fails to teach the limitations set forth in the independent claim. Inasmuch as Porte

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does teach the limitations applicant has added, the examiner notes with appreciation that applicant has not asserted any purported errors associated with the *combination* of the two references.

Conclusion

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

9. Any inquiry specifically concerning this communication or earlier communications from the examiner should be directed to F. Vanaman whose telephone number is 571-272-6701.

Any inquiries of a general nature or relating to the status of this application may be made through either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


A response to this action should be mailed to:

Mail Stop _____
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450,

Or faxed to:

PTO Central Fax: 571-273-8300

F. VANAMAN
Primary Examiner
Art Unit 3618



12/22/05